

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

UNITED STATES OF AMERICA,

**Case No. 23-80101-CR
CANNON/REINHART**

vs.

DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,

Defendants.

**DEFENDANTS' MOTION FOR LEAVE TO FILE
PRETRIAL MOTIONS WITH LIMITED REDACTIONS**

Defendants President Donald J. Trump and Waltine Nauta respectfully submit this motion for leave to file under seal certain pretrial motions with limited redactions as ordered by the Rule 16 Protective Order, ECF No. 27, and the Court's February 20, 2024 Order, ECF No. 320.¹ The Defendants seek to redact personal identifying information ("PII") referenced in these pretrial motions.

On February 22, 2024, President Trump filed under seal three pretrial motions (via email to the Court and the Special Counsel's Office): (1) motion to dismiss the Superseding Indictment based on selective and vindictive prosecution; (2) motion to dismiss the Superseding Indictment, and in the alternative to suppress the "15 Boxes," based on prosecutorial misconduct resulting in

¹ Defendant Carlos De Oliveira joins in this motion. On February 23, 2024, Mr. De Oliveira indicated that he joins in certain pretrial motions submitted by President Trump and Mr. Nauta. *See* ECF No. 331. Further, pursuant to the Court's February 20 Order, ECF No. 320, counsel for the Defendants have conferred with the Special Counsel's Office, whom do not object to the relief requested herein. The Office informed the Defendants that it will make a separate filing requesting further redactions to the pretrial motions filed under seal by President Trump. The Defendants object to the Office's requests for additional redactions and will respond on February 29. *See* ECF No. 320.

due process violations, impermissible pre-indictment delay, and grand jury abuses; and (3) motion to (a) suppress evidence seized during the raid at Mar-a-Lago and obtained in violation of President Trump's attorney-client privilege, and (b) dismiss the Superseding Indictment based on prejudice from this privilege violation. *See* ECF No. 328. Also on February 22, Mr. Nauta filed under seal five pretrial motions (via email to the Court and the Special Counsel's Office): (1) motion for a bill of particulars, (2) motion to dismiss for vagueness, (3) motion to suppress evidence and for return of property and request for evidence hearing and *Franks* hearing, (4) motion to dismiss the indictment pursuant to Rule 12 of the Federal Rules of Criminal Procedure, (5) motion to dismiss the Superseding Indictment for selective and vindictive prosecution.

As part of the pretrial motions filed under seal, President Trump and Mr. Nauta cited to and attached as exhibits various Discovery Materials, as that term is defined in the Rule 16 Protective Order. *See* ECF No. 27 ¶ 1. Some of the exhibits include PII, and the Local Rules and applicable laws suggest such information is appropriate for redaction. For the reasons previously stated by the Defendants in submissions to the Court on January 16 and January 22, 2024 regarding the public nature of information in Defendants' motions to compel—ECF Nos. 261 and 270, respectively—we submit that it is the burden of the Special Counsel's Office to specify with particularity further redactions to presumptively public materials in the pretrial motions.

For the foregoing reasons, President Trump and Messrs. Nauta and De Oliveira seek permission from the Court to file certain pretrial motions in redacted form, redacting any and all personal identifying information.

Dated: February 27, 2024

Respectfully submitted,

/s/ Todd Blanche

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CERTIFICATE OF SERVICE

I, Christopher M. Kise, certify that on February 27, 2024, I electronically filed the foregoing document with the Clerk of Court using CM/ECF.

/s/ Christopher M. Kise
Christopher M. Kise